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10/25/13

## UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

In the Matter of the Search of )  
(Briefly describe the property to be searched )  
or identify the person by name and address) )  
USPS Express Mail parcel EM 641195784 US )  
addressed to Eugene Sanders, 2279 Holt Ave. Apt )  
A, Columbus, OH 43219 )

Case No.

2:13mj 575

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

USPS Express Mail parcel EM 641195784 US addressed to Eugene Sanders, 2279 Holt Ave. Apt A, Columbus, OH 43219; bearing the return address of Gary Sanders, 1285 Antwerp Lane, San Jose, CA 95118.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

A quantity of controlled dangerous substance of which is contraband.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
Title 21, United States Code, Section 841(a)(1), Title 21, United States Code, Section 843(b).	Distribution of Controlled Substances, and, Unlawful Use of Communication Facility (U.S. Mail)

The application is based on these facts:

See Attachment A

- ☒ Continued on the attached sheet.  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Daniel J Johnson, USPIS

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/28/2013

City and state: Columbus, Ohio

Judge's signature

Terence P. Kemp, U.S. Magistrate Judge

Printed name and title

Attachment to Application and Affidavit for Search Warrant

I, Daniel J. Johnson, Postal Inspector, being duly sworn, depose and state as follows:

I have been a U.S. Postal Inspector for the past 5 years, enforcing federal mail and drug laws; currently assigned to Columbus, OH. I have received training at U.S. Postal Inspection Service National Training Seminars for mail related criminal investigations and have investigated cases with other federal, state, and local police units.

The U.S. Postal Inspection Service is aware that drug traffickers have been using Express Mail, a business-oriented service offered by the Post Office, to transport controlled substances and transfer funds, cash or otherwise, to further their enterprises. As a result of past investigations and prosecutions, the Postal Inspection Service has determined that a number of indicators can be used to identify packages containing contraband that have been entered into the Express Mail network. Inspectors routinely review shipment documents and Express Mail packages originating from or destined to drug source areas, to identify instances where there is a possibility of drug trafficking.

On October 25, 2013, Postal Inspectors in Columbus, OH, were examining incoming Express Mail at City Gate Processing and Distribution Center, Columbus, Ohio. Inspectors found a package that they believed contained illegal narcotics.

On October 25, 2013 Postal Inspectors took custody of USPS Express Mail parcel EM 641195784 US addressed to Eugene Sanders, 2279 Holt Ave. Apt A, Columbus, OH 43219; bearing the return address of Gary Sanders, 1285 Antwerp Lane, San Jose, CA 95118. The parcel is a 12"x 3"x 15" white cardboard box, weighing 2 pounds; mailed on October 24, 2013 from Encino, California with \$39.40 postage affixed.

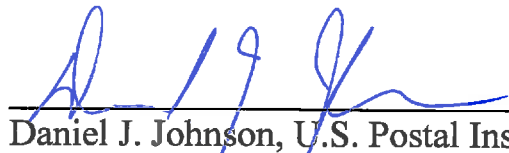
A computerized address check revealed, 2279 Holt Ave. Apt A, Columbus, OH 43219, is a legitimate address in, Columbus, OH 43219, however, Eugene Sanders could not be associated with this address. A computerized address was also conducted for; 1285 Antwerp Lane. This is a legitimate address in San Jose, California, however, Gary Sanders could not be associated with this address.

Your affiant knows that drug traffickers have, in the past used unknown names at legitimate addresses to receive parcels containing illegal narcotics and used non-existent addresses or addresses belonging to others for the sender, in an attempt to legitimize the shipment, if the parcel is seized by law enforcement officers. Additionally, California is a known source area for shipment of illegal narcotics to Central Ohio as well as other areas of the United States.


On October 25, 2013, Postal Inspectors contacted Officer Anthony Rogers, Columbus Police Department, who is the handler for "Lucky", a drug detection dog, most recently certified by the Ohio Peace Officers Training Council for the detection of: marijuana, hashish, cocaine, "crack", heroin, and methamphetamine. K-9 "Lucky" has had 200 hours of training at Gold Shield Training Kennels, Blacklick, OH, a well-established and regarded training facility for police canines. Both in training and actual deployments, K-9 "Lucky" has successfully detected narcotics; demonstrating clear, positive, aggressive alerts, establishing himself as a highly reliable police dog.

The subject parcel was hidden among other packages, and "Lucky" was allowed to search the entire area. Officer Rogers concluded that K-9 "Lucky" did alert positively to U. S. Postal Service Mail parcel bearing label no. EM 641195784 US. Based on that alert, Officer Rogers concluded that the odor of one of the drugs that K-9 "Lucky" is trained and certified to detect was present.

Based on the facts set forth in this Affidavit, I believe there is probable cause to believe that controlled substances are being concealed in the parcel, and seek the issuance of a warrant to search the parcel for controlled substances to be seized.

  
Daniel J. Johnson, U.S. Postal Inspector

Sworn to before me, and subscribed in my presence, this 28<sup>th</sup> day of October 2013, at Columbus, Ohio.

  
Terence P. Kemp, U.S. Magistrate Judge